

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

---

<b>GERALD KINER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 23-cv-02805-SHL-tmp</b>
	)	
<b>CITY OF MEMPHIS, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

---

**ORDER DIRECTING CLERK OF COURT TO UPDATE THE DOCKET**

---

Before the court is plaintiff Gerald Kiner's Motion to Voluntarily Dismiss Without Prejudice the following four defendants: Allison Fouche, Jennifer Sink, Jim Strickland, and Cerelyn J. Davis.<sup>1</sup> (ECF No. 46.) Although it is not specified in the motion, the undersigned interprets the motion as dismissing those named defendants in both their individual and official capacities. Because none of these four defendants have filed answers or motions for summary judgment, the undersigned concludes that these defendants may be dismissed pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure without a court order. The

---

<sup>1</sup>Pursuant to Administrative Order No. 2013-05, this case has been referred to the United States magistrate judge for management and for all pretrial matters for determination or report and recommendation, as appropriate.

Clerk of Court is hereby directed to update the docket to reflect that these four defendants are no longer parties in this action.

IT IS SO ORDERED.

s/Tu M. Pham

TU M. PHAM

Chief United States Magistrate Judge

May 30, 2024

Date